UNITED
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S/1999/482
27 April 1999

ORIGINAL: ENGLISH

LETTER DATED 27 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit a press release issued by the Ministry of Foreign Affairs of Eritrea on 26 April 1999 as a result of Ambassador Mohamed Sahnoun's visit to Asmara (see annex).

The release reaffirms Eritrea's commitment to the Framework Agreement of the Organization of African Unity and its readiness to implement it.

I should be grateful if you would kindly circulate this letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

99-12125 (E) 270499

/...

Annex

Press release issued by the Ministry of Foreign Affairs of Eritrea on 26 April 1999

Eritrea reaffirms its commitment to and readiness to implement the OAU Framework Agreement

President Isaias Afwerki met this afternoon with Ambassador Mohamed Sahnoun, special envoy of the United Nations Secretary-General. Ambassador Sahnoun delivered a message from the Secretary-General, Mr. Kofi Annan, to President Isaias.

Earlier in the day, Ambassador Sahnoun met with Foreign Minister Haile Weldense, leading the Eritrean delegation that is mandated to deal with the border conflict between Eritrea and Ethiopia.

In the course of both discussions, Eritrea reaffirmed its strict adherence to the Framework Agreement of the Organization of African Unity which was endorsed by the Summit of the Central Organ and expressed its commitment to and readiness for its full implementation. In that context, the Eritrean Government further reiterated its readiness to redeployment, as clearly stipulated by, and in the letter and spirit of, the Framework Agreement.

Eritrea also informed Ambassador Sahnoun - indeed, as it had done when the OAU delegation visited Asmara last month - that it had already designated a committee and that the Eritrean Government stood ready to play its role within the Follow-up Committee to be established under the auspices of the OAU High-level Delegation, with the active participation and assistance of the United Nations.

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1232 (1999) of 30 March 1999, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 1999, in the expectation that agreement would be reached on the various protocols and the implementation calendar without undermining the integrity of the package, and that the Mission could proceed with the identification and appeals operations promptly. The report covers developments since my previous report to the Security Council, dated 22 March 1999 (S/1999/307).

II. DEVELOPMENTS DURING THE REPORTING PERIOD

A. Consultations with the parties

2. As outlined in my report of 11 December 1998 (S/1998/1160), the key provisions of the United Nations package, designed to accelerate the referendum process and presented to the parties, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), in October 1998, were as follows: the initiation of the appeals process for already identified applicants at the same time as the identification of remaining applicants from tribal groupings H41, H61 and J51/52 wishing to present themselves individually; the effective formalization of the presence of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the Territory to allow the necessary preparation for the repatriation of refugees and other Saharans residing outside the Territory who are eligible to vote, together with their immediate families; and a revised schedule, under which the transitional period would start in June-July 1999 and the referendum would be held in December 1999.

3. As also described in my report of 11 December, the measures to be taken by MINURSO with the cooperation of the parties were detailed in a set of documents, which included a protocol on the identification of those remaining applicants from tribal groupings H41, H61 and J51/52 wishing to present themselves individually, a protocol on the appeals process, a memorandum on the activities

of UNHCR in the region and a calendar outlining the next implementation stages of the United Nations Settlement Plan (see S/21360 and S/22464 and Corr.1).

4. During my visit to the region late in 1998, the Frente POLISARIO formally accepted the United Nations package of measures. For its part, Morocco expressed concerns and sought clarifications about key provisions of the package. As indicated in my previous report (S/1999/307), on 22 March 1999, following several rounds of consultations with the United Nations, the Government of Morocco accepted the package in principle, on the understanding that certain amendments would be incorporated in the identification and appeals protocols and that operational directives, together with a revised timetable, would be provided by MINURSO to the parties. The Government of Morocco suggested the resumption of identification in May 1999, the start of the appeals process in June 1999, and the holding of the referendum in March 2000.

5. During the reporting period, my Acting Special Representative, Robin Kinloch, held consultations on the package with the Coordinator for the Frente POLISARIO, Emhamed Khaddad, on 28 March 1999, and with the Minister of the Interior, Driss Basri, and other Moroccan officials on 8 and 9 April 1999. The amended protocols on identification and appeals, together with detailed operational directives for the implementation of those protocols, were then communicated to the parties on 9 April 1999. Following extensive discussions held between the United Nations and the two parties at Headquarters from 12 to 23 April 1999, these documents, as well as an outline calendar, were finalized and transmitted to the parties on 26 April 1999. In my covering letters to the Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco, Mohammed Benaissa, and the Secretary-General of the Frente POLISARIO, Mohammed Abdelaziz, I asked the parties to convey their formal positions on the documents within the next couple of days, so that the Security Council could be informed and take a decision accordingly. Those documents will be issued as an addendum to the present report.

6. The amended protocols and the operational directives provide for the resumption of identification work on 1 June 1999 and its completion (subject to later confirmation by Morocco that it will provide two sheikhs for the identification of H61 Ait Ousa tribe applicants) in November 1999, and for the start of the appeals process on 1 July 1999 and its completion by February 2000. In the revised outline calendar for the referendum process, it is envisaged that, with the continuing cooperation of both parties, the transition period could begin in February 2000, with a view to holding the referendum in July 2000.

7. Budgetary resources currently available will suffice for the resumption of the identification process in June 1999. Additional resources will be required from July 1999 onward to enable MINURSO to increase the number of Identification Commission members to 30 from the 25 authorized by the Security Council in its resolution 1204 (1998) of 30 October 1998. Additional administrative and support personnel will also be deployed. Moreover, an increase of MINURSO's aviation assets and logistics support equipment will be required at that time, to facilitate the concurrent conduct of the identification and appeals processes.

8. The Mission will also need additional premises in support of the Identification Commission's training of new staff, as the accommodation currently available at Laayoune is insufficient for this purpose. The Moroccan authorities have indicated their willingness to provide such facilities outside Laayoune.

B. Military aspects

9. As at 23 April 1999, the strength of the military component of MINURSO stood at 203 all ranks (see annex). Under the command of Major General Bernd S. Lubenik (Austria), the MINURSO military component continues to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO forces, which came into effect on 6 September 1991. The MINURSO area of responsibility remains calm and there have been no indications that either side intends to resume hostilities.

10. With regard to the provisions on the carriage of weapons contained in paragraph 42 of the status-of-forces agreement between the United Nations and Morocco, consultations with the Moroccan authorities will be initiated shortly, to work out an arrangement detailing the implementation of those provisions.

11. Following the military agreement of 12 March 1999 between MINURSO and the Royal Moroccan Army for the marking and destruction of mines and unexploded ordnance in the Mission area, the first clearance operation was successfully completed. A similar military agreement was concluded by the MINURSO Force Commander with the Frente POLISARIO forces on 5 April. As was noted in my previous report (S/1999/307), those efforts should not be considered a substitute for the necessary deployment of a mine-clearance unit in due course to complete the Mission's mine-related tasks, in particular those required under the repatriation programme for Saharan refugees who are eligible to vote, and their immediate families.

12. With regard to the communications equipment stolen from a MINURSO station east of the defensive sand-wall (berm) in February 1999 (see S/1999/307, para. 15), the Frente POLISARIO and the Algerian authorities have offered to assist MINURSO in the investigation of the theft and recovery of that equipment.

13. Discussions with the Moroccan authorities continue concerning the continued payment by MINURSO of a rent of $12,500 per month for its logistics complex at Laayoune. It is anticipated that the Moroccan authorities will be able to resolve this matter, in the light of the relevant provisions of the recently signed status-of-forces agreement between the United Nations and Morocco.

C. Civilian police aspects

14. The strength of the civilian police component of MINURSO stands at 22 (see annex), under the command of the Acting Commissioner, Assistant Commandant Sunil Roy (India). During the reporting period, two civilian police officers completed their tour of duty.

15. For the resumption of the identification process, the strength of the civilian police component of MINURSO will be brought back to its authorized establishment of 81 officers. In the meantime, the component is preparing an induction training programme for incoming officers. It also continues to perform security duties at Laayoune and Tindouf, guarding the Identification Commission files and working on repatriation logistics plans and related issues.

D. Preparatory work for the repatriation of Saharan refugees

16. The Office of the United Nations High Commissioner for Refugees, in close consultation and coordination with MINURSO, continued its preparatory work for the repatriation of Saharan refugees as provided for under the Settlement Plan (S/21360 and S/22464 and Corr.1). At a meeting with the Moroccan Minister of the Interior at Laayoune on 8 April 1999, UNHCR received assurances that, as requested earlier, it can begin its preparatory activities in the Territory, including confidence-building measures, infrastructure development and logistics planning. UNHCR hopes to confirm with the Moroccan authorities an early date for a joint technical committee meeting, including a joint reconnaissance visit to the Territory.

17. Pending the establishment of a UNHCR/Morocco formal working group, a UNHCR mission was dispatched to Rabat on 15 April 1999, to discuss with the Ministry of the Interior the amendments provided verbally by the latter to the refugee repatriation protocol. Further discussions between UNHCR and Morocco on the protocol are expected to be held at Geneva in May 1999.

18. A UNHCR mission also visited Tindouf from 10 to 14 April 1999 and held discussions with the Frente POLISARIO on the resumption of the pre-registration exercise in the two remaining camps in the Tindouf area. UNHCR expects to resume that exercise on 3 May 1999, and to continue its discussions on the refugee repatriation protocol with the Frente POLISARIO.

III. FINANCIAL ASPECTS

19. As indicated in my previous report to the Security Council, the General Assembly, by its resolution 53/18 of 2 November 1998, appropriated an additional amount of $37.3 million, equivalent to some $4.7 million per month, for the maintenance of MINURSO for the period from 1 November 1998 to 30 June 1999. My budget proposal of 11 February 1999 (A/53/820) for the subsequent 12-month period, from 1 July 1999 to 30 June 2000, to be considered by the General Assembly at its resumed fifty-third session, amounts to some $49 million and is based on the Mission's operational requirements at the maintenance level, including the identification process. Therefore, should the Council decide to extend the mandate of MINURSO, as recommended in paragraph 26 below, the cost of maintaining MINURSO during the extension period would be within the resources already made available to the Mission and the appropriation to be provided by the General Assembly. Should the implementation of the revised timetable for the referendum process require additional resources, I shall seek additional appropriation from the General Assembly. As at 27 April 1999, unpaid assessed contributions to the MINURSO special account amounted to $59.5 million. The

total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,590.9 million.

IV. OBSERVATIONS AND RECOMMENDATIONS

20. As indicated in paragraph 5 above, I expect that the Government of Morocco and the Frente POLISARIO will shortly convey to me their formal positions on the protocols and operational directives, which provide for the resumption of the identification process on 1 June 1999 and the start of the appeals process on 1 July 1999. I am satisfied that, as required by the Security Council, these arrangements proposed by the United Nations are consistent with, and maintain the integrity of, the package of proposals which I presented in October 1998, and that the identification and appeals processes can, if activated promptly, be completed by November 1999 and February 2000, respectively. I believe that there is now a good foundation for the completion of this phase of the Settlement Plan, provided that the full and unequivocal cooperation and support of both parties is maintained throughout.

21. The simultaneous conducting of the identification and appeals processes will shorten the timeline of the referendum process, but will increase staffing and logistic requirements for the Identification Commission from July to November 1999. I intend to submit supplementary budget proposals in due course to cover these requirements.

22. I am encouraged by the recent progress made by UNHCR in its discussions with the Government of Morocco on its preparatory activities for the return of refugees to the Territory. I trust that the Frente POLISARIO will extend its cooperation with UNHCR to enable it to resume its pre-registration exercise in the two remaining camps at Tindouf by 3 May 1999 as planned. It is important that both parties continue to cooperate with UNHCR to enable it to complete its preparatory work for the return of Saharan refugees, as foreseen in the Settlement Plan.

23. The consultations between UNHCR and Morocco have already led to formal arrangements for the installation of UNHCR in the Territory. More recently, UNHCR began consultations with Morocco on the finalization of the protocol governing planning for refugee repatriation, and it will shortly do so with the Frente POLISARIO. I urge all concerned to make every effort to reach agreement by the end of May 1999.

24. I welcome the military agreements reached between MINURSO and the two parties on the demarcation of mines and unexploded ordnance, and note with satisfaction that both sides have begun to implement these agreements, in cooperation with MINURSO. As regards the implementation of the provisions of paragraph 42 of the status-of-forces agreement between the United Nations and Morocco, concerning the carriage of weapons and related issues, I look forward to the early conclusion of an arrangement to that effect.

25. The revised outline calendar for the referendum process incorporates MINURSO's estimates for the completion of the identification and appeals processes in November 1999 and February 2000, and the beginning of the

transition period in February 2000, leading to the referendum campaign in June-July 2000 and the referendum itself at the end of July 2000. However, the timely implementation of this calendar is predicated upon many critical assumptions, including the authorization by the Security Council to begin preparations in July 1999 for the full deployment of MINURSO troops; the total cooperation of the parties in the identification of individual applicants from groups H41, H61 and J51/52 so as to maintain a rigorous programme without the delays and interruptions experienced in the past; the expectation that the appeals process will not be turned into a second round of identification for all applicants found ineligible; the completion by the end of 1999 of planning arrangements for repatriation; the deployment of formed military units, additional military observers and civilian police by January 2000; the reduction and confinement of troops on both sides; the demining of repatriation routes; the proclamation of a general amnesty; and a repatriation process that is completed within 16 weeks, which is considerably shorter than the current estimates of UNHCR.

26. Should the parties agree to the proposed protocols and operational directives, the Security Council should consider extending the mandate of MINURSO for a period of six months, until 30 October 1999. It would be my intention to report to the Council at two-month intervals on progress being made towards the completion of the identification and appeals processes and the start of the transition period.

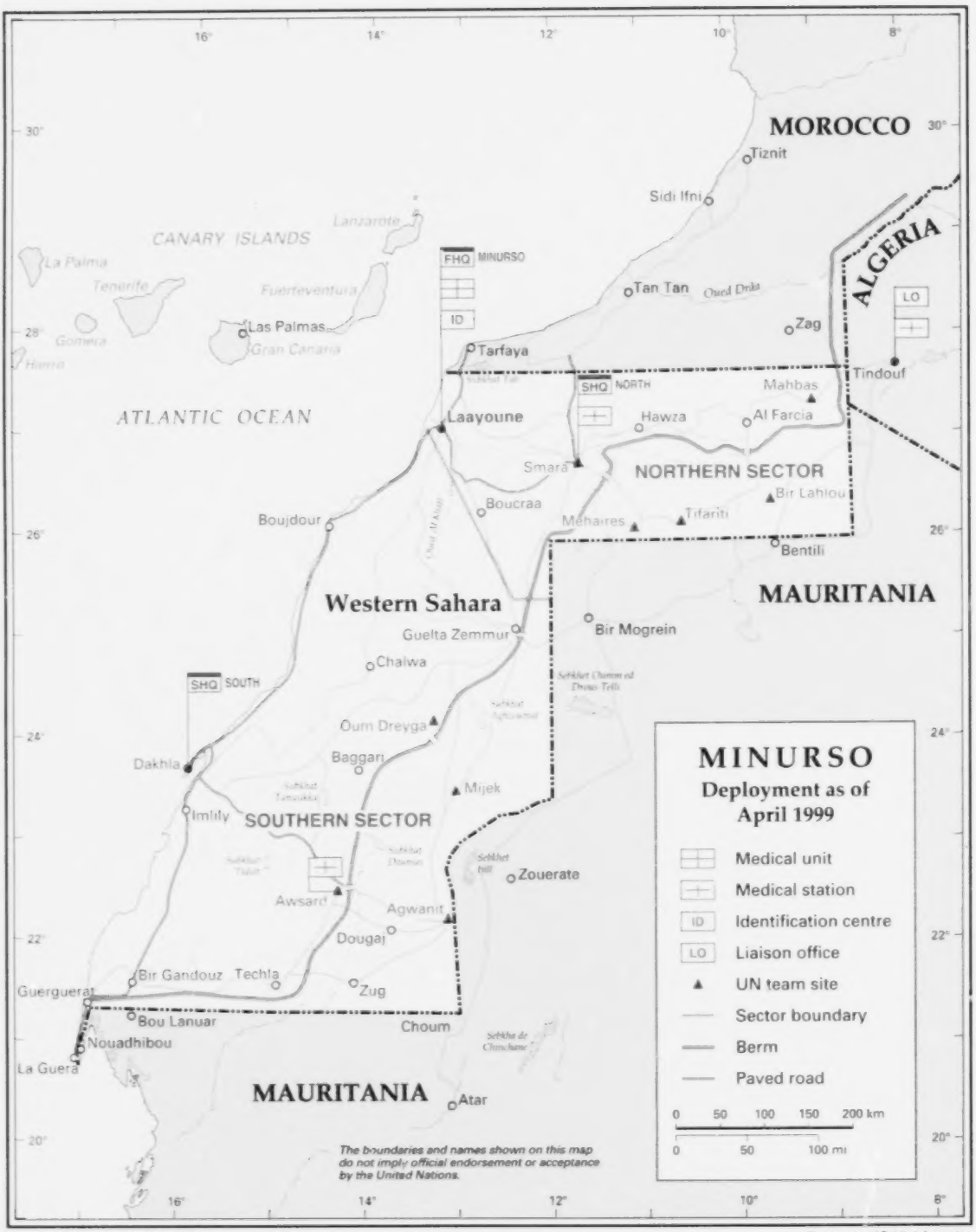
Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 23 April 1999

	Military observers	Troops	Civilian police observers	Total
Argentina	1	-	-	1
Austria	5	-	-	5*
Bangladesh	6	-	-	6
Canada	-	-	-	8
China	16	-	-	16
Egypt	19	-	1	20
El Salvador	2	-	-	2
France	25	-	-	25
Ghana	6	7	1	14
Greece	1	-	-	1
Guinea	3	-	-	3
Honduras	12	-	-	12
Ireland	7	-	-	7
India	-	-	10	10
Italy	5	-	-	5
Kenya	8	-	-	8
Malaysia	13	-	-	13
Nigeria	5	-	-	5
Pakistan	6	-	9	15
Poland	3	-	-	3
Portugal	4	-	1	5
Republic of Korea	-	20	-	20
Russian Federation	25	-	-	25
Uruguay	13	-	-	13
United States of America	15	-	-	15
Venezuela	3	-	-	3
Total	203	27	22	252

* In addition to the Force Commander.



Map No. 3691 Rev. 23 UNITED NATIONS
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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

ADDENDUM

1. As indicated in paragraph 5 of my report to the Security Council on the situation concerning Western Sahara dated 27 April 1999 (S/1999/483), the present addendum contains the text of the five documents that I transmitted to the two parties to the Settlement Plan, Morocco and the Frente Polisario, following the discussions between their representatives and the United Nations, held at Headquarters from 12 to 26 April 1999.

2. The documents are entitled:

- Protocol on the identification of the remaining individual applications from candidates belonging to tribal groupings H41, H61 and J51/52;

- Operational directives for the identification of the remaining individual applications from candidates belonging to tribal groupings H41, H61 and J51/52;

- Appeals process for the referendum in Western Sahara;

- Operational directives for the implementation of the appeals process;

- Time-frame for the implementation of the Settlement Plan.

3. In a letter dated 7 May 1999, addressed to me by the Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco, Mr. Mohammed Benaissa the Moroccan Government informed me of its official position concerning the modalities proposed in these documents. In a letter dated 28 April 1999, addressed to me by the Secretary-General of the Frente Polisario, Mr. Mohammed Abdelaziz, the Frente Polisario also informed me of its official position regarding the proposed modalities. The content of these letters has been brought to the attention of the members of the Security Council (see S/1999/554 and S/1999/555).

4. I intend, on this basis, to carry out the necessary preparatory work for the resumption of the identification operation on 15 June 1999 and the beginning of the appeals process on 15 July 1999.

Protocol on the identification of the remaining individual applications from candidates belonging to tribal groupings H41, H61 and J51/52

1. In order to complete the processing of all the individual applications provided for in paragraph 20 of the report of the Secretary-General, S/22464 of 19 April 1991, the identification of applicants belonging to tribal groupings H41, H61 and J51/52 who have not yet had a chance to present themselves will take place beginning on 15 June 1999. The necessary arrangements for the implementation and practical application of this protocol shall be made by the Commission and the parties by 1 June 1999.

2. All registered applicants may present themselves for identification under the provisions of annex I of the report of the Secretary-General, S/1997/742 of 24 September 1997.

3. The applicants shall not be included in the provisional list of voters by the Identification Commission until they have been identified and have met one or more of the five criteria.

4. The identification will take place only at the Laayoune, Boujdour, Dakhla, Smara camp, Zouerate, Nouadhibou, Assa, Taroudant, Tan-Tan, Guelmim, Tata, Ouarzazate and Rabat field offices.

5. In planning the identification process, the Commission shall grant priority to the centres receiving applicants eligible for repatriation.

6. The sheikhs already appointed for H41 and J51/52 may continue the identification process.

7. With regard to tribal grouping H61, separate sessions, by tribe, shall be held for the applicants who present themselves and who belong to the following four tribes: Ait Ousa, Ait-en-Nos, Azoafit and Cheraga.

8. With regard to tribal grouping H61, the appointment of the sheikhs shall not require the agreement of the other party, since no qualification is required other than that the applicant must have reached the age of 18 by 31 December 1993.

9. The parties shall each appoint two sheikhs for the identification of the applicants from the Ait Ousa tribe in Morocco, in the Territory, in Mauritania and in the Tindouf region, to allow for the simultaneous identification of applicants, the first pair of whom shall be appointed before 1 June 1999 and the second before 1 August 1999. Similarly, a second sheikh should be identified by

the Frente Popular para la Liberación de Saguía al-Hamra y del Río de Oro (Frente POLISARIO) for the identification of applicants from the Azoafit tribe.[1]

10. With regard to the applicants from the following tribes, the two sheikhs (A, Lamiar and B, Azoafit) appointed in December 1997 shall participate in the identification process; they may be assisted by one adviser for each tribe:

Ait Yarra	Rif	Gomara
Beni Buyahi	Rhamena	Zinatti
Beni Zerual	Seragna	Lamiar[2]
Chenagla	Ulad Aisa	
Entifa	Ulad Set-Tut	

11. The Commission shall establish the number of identification days in each centre, in order to allow enough time to identify the applicants from each tribe or tribal group presenting themselves, estimated at 120 per day.

12. The number of days allocated to each group/tribe shall be calculated so that 80 per cent of all registered applicants may be identified at the rate of 120 applicants per day. Additional days shall be allocated at the end of the programme only where, on the last day scheduled for the identification of the group, applicants remain who have come forward and been registered and the Commission has been unable to process their identification, and where the daily average of persons identified has been over 100 for the scheduled period. The identification process shall be halted if the average number of persons presenting themselves drops below 20 per day for three consecutive days.

13. The Commission shall publish the dates of the identification sessions in the local press and through the parties.

14. The Commission shall inform the tribal chiefs that a minimum of 120 and a maximum of 130 persons should present themselves each day, grouped by families as far as possible.

15. The Commission shall accept the written observations and complaints of the parties, in accordance with the procedures followed during the identification of the other groupings. The wilful absence of a sheikh or of observers from one of

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[1] The H61 Azoafit sheikh appointed by the Frente Polisario shall participate in the identification of the 13 tribes included in the grouping, while the second Azoafit sheikh shall participate in simultaneous identification sessions for the Azoafit tribe.

[2] The H61 sheikh appointed by Morocco is from the Lamiar tribe.

the parties at the identification sessions in progress should not be grounds for interrupting a session.

16. The identification programme for tribal groupings H41, H61 and J51/52 shall be completed at the latest by 30 November 1999, unless additional days are required under the provisions of paragraph 12 above.

Operational directives for the identification of remaining individual applications from candidates belonging to tribal groupings H41, H61 and J51/52

The identification of the remaining applicants from tribal groupings H41, H61 and J51/52 who present themselves shall be carried out in accordance with the regulations, procedures and guidelines that have governed the identification process since it began in 1994. However, bearing in mind the provisions of the Houston Agreements on the identification of these three groupings and the package of proposals submitted to the parties by the Secretary-General of the United Nations in October 1998, the Identification Commission, in consultation with the parties, is issuing the following guidelines and regulations. Any subsequent modifications of these guidelines and regulations shall be decided in consultation with the parties.

I. Planning and scheduling

1. Duration and daily average number of identifications

(i) The duration of the identification of the remaining applicants belonging to tribal groupings H41, H61 and J51/52 who present themselves shall be as provided in the provisional schedule. The identification operation shall begin on 15 June 1999.

(ii) The number of days allocated in each centre to each group or sub-group of the three tribal groupings shall be established so that 80 per cent of the total number of applicants registered as residents in the jurisdiction of this centre may be identified at the rate of 120 applicants per day.

(iii) The Commission shall carry out the identification for five full days each week over a period to be decided by agreement. If, during any one day, the number of applicants presenting themselves for identification surpasses the anticipated daily average, the Commission shall adopt a special procedure consisting of distributing different-coloured tickets to the applicants, giving them priority in the queue for another day.

(iv) The Commission shall halt the identification operations scheduled for a given group in a centre if the number of applicants presenting themselves for identification drops below an average of 20 per day for three consecutive days.

(v) If, at the end of the period granted to a given tribal group under the provisional schedule, other applicants present themselves for identification, the Commission shall have them complete the preparatory identification formalities (including the taking of photographs and fingerprints and the establishment of a file) and may grant additional identification days at the end of the programme, provided that an average of at least 100 applicants identified daily in the centre has been maintained for this group.

2. Identification localities and centres

(i) The parties shall make available to the Commission suitable premises to serve as identification centres in Laayoune, Boujdour, Dakhla, Smara camp, Tan-Tan, Tata, Taroudant, Assa, Guelmim, Ouarzazate and Rabat. The Commission shall take the necessary steps to find similar premises in Nouadhibou and Zouerate.

(ii) The parties shall also provide, separately, suitable lodgings for the identification teams, delegations from the other party, including the sheikhs and tribal advisers, and Organization of African Unity (OAU) observers. The Commission shall be responsible for finding similar lodgings in Nouadhibou and Zouerate.

(iii) The parties shall provide all the necessary facilities for the use of the airports closest to the identification centres. They shall also provide road transport where the Commission deems it necessary.

(iv) The advisers to the H61 tribal chiefs shall enjoy the same privileges and immunities as those accorded to the sheikhs.

3. Dissemination of information on identification

(i) The Commission and the parties shall disseminate as widely as possible relevant information on the identification operation, especially on the following points:

- Tribal groupings;

- Identification schedule for each tribal grouping;

- Localities and sites of identification centres; number of applicants to be identified each day; the need to arrive in family groups to the extent possible; the working hours; and the need for the applicant to submit the relevant documents.

(ii) The parties shall provide the Commission with access to and use of all available media to communicate with the tribal groups by radio, television, local press and posters. The Commission shall also take the necessary steps to ensure that brochures giving applicants clear information on the procedures they should follow in the identification centre are distributed.

II. Identification operations

4. Identification

General rules:

(i) The implementation of the identification process shall be the responsibility of the Identification Commission;

(ii) The working hours and other arrangements to be made to carry out the identification programme so as to keep to the established schedule shall be at the discretion of the head of the centre.

(iii) The parties shall inform the Commission of all changes of residence of applicants by 1 June 1999. After that date, the applicant may be identified only at the centre in whose jurisdiction his registered place of residence is located.

(iv) The Commission shall provide the observers from the parties with a list of all the applicants from each tribal group residing in the jurisdiction of each centre.

5. Applicants

(i) The applicants shall be identified at the centre in whose jurisdiction the place of residence indicated on the form, or the residence notified to the Commission under paragraph 4 (iii) above, is located.

(ii) During the reception period, the applicants shall be informed that:

- They must prove their identity and their eligibility;
- They will be asked to give detailed information on the members of their family who are registered for identification;
- They will be asked to submit all the relevant documents in their possession;
- They must refrain from using any inappropriate language or making any political statements;
- The refusal by an applicant to be identified by a sheikh appointed for that purpose shall disqualify the applicant.

(iii) During the reception period, each applicant shall provide the Commission with detailed information on his tribal membership.

(iv) The applicants who do not present themselves for identification during the sessions scheduled for their tribal groupings at the centre in whose jurisdiction their place of residence is located shall lose their entitlement to identification.

6. Sheikhs

(i) Sheikhs shall be entitled to ask the applicants any relevant questions.

(ii) Sheikhs shall reply to all questions asked by the identification team and shall refrain from making comments on the testimony of their colleagues.

(iii) The wilful absence of one of the sheikhs during the identification session in progress shall not be grounds for halting that session.

(iv) The suspension of identification operations owing to force majeure or the illness of a sheikh may be offset, at the end of the programme that was halted, by granting an equal number of identification days as compensation for the centre concerned.

7. The observers for the parties

(i) The observers for the parties shall lend their full support to the Identification Commission in the performance of its tasks.

(ii) The observers for the parties shall comply with existing instructions and shall comment, in writing, on the operation of the centre and transmit their comments, within 24 hours, to the Chairman of the Identification Commission with a copy to the head of the centre. A copy of these comments shall, where appropriate, be placed in the applicant's file.

(iii) The observers for the parties shall refrain from any action designed to limit the questions put by the identification team to either the applicant or the sheikhs.

(iv) Wilful failure by the observers of either party to attend the identification sessions shall not be grounds for interrupting a session.

8. Advisers to the sheikhs

The role of advisers for tribal grouping H61 shall be limited to acting, where necessary, as adviser to the sheikhs. They shall not be authorized to speak to the applicants or to the identification team during the identification session.

9. Decisions on eligibility

Decisions on eligibility shall be taken at the centre where the identification takes place, taking into account the relevance of all the evidence, both oral and written, and all available information, including the comments of the parties and the data regarding other members of the applicant's family. The Commission shall make sure that, whatever its decision, whether positive or negative, the reasons for its decision, are clearly explained and

noted on the fact sheet. The monthly results of the identification process shall be communicated to the parties, if possible, at the start of the second fortnight of the following month and, at the latest, at the end of that month.

10. The provisional list

The provisional list of applicants from groupings H41, H61 and J51/52 judged eligible in 1999 shall be published upon completion of the identification process for the tribal grouping concerned. Publication of this list shall thus signal the start of the appeals process.

III. Special rules concerning the manner of conducting the identification

11. Identity and eligibility

(i) The Commission must first verify the applicant's identity. After establishing that his identity and membership in a tribal grouping have been correctly stated, the Commission shall decide whether or not the applicant is eligible under one of the five criteria. It is up to the applicant to prove that he is eligible.

(ii) The Commission shall place on record, in summary form, the evidence provided by the applicants and sheikhs in their oral testimony and shall make a note of the written evidence supplied by the applicants. The Commission shall take all this evidence into account in its decision.

12. Oral testimony of applicants and sheikhs

(i) Observers for the parties and for the sheikhs may not interrupt an applicant who is giving oral testimony.

(ii) The sheikhs shall treat applicants with respect and courtesy.

(iii) The sheikhs may consult the advisers without being interrupted by the observers for the parties.

(iv) Concordant testimony from the two sheikhs is not a sine qua non for eligibility. In the event of conflicting oral testimony from the two sheikhs, the Commission shall take a decision on eligibility in accordance with the provisions of paragraph 9 above.

(v) The testimony of the sheikhs shall be reported in French and in English to the observer for the Organization of African Unity.

(vi) Any applicant who refuses to appear before a designated sheikh for purposes of identification shall be disqualified.

13. Cases of reclassification

(i) Registered applicants who have been classified as belonging to tribal groupings H41, H61 and J51/52 and who would like to be identified as belonging to an entirely different tribal grouping should not, if they have never previously been convoked, present themselves for identification with the three groupings, but should file an appeal directly.

(ii) Registered applicants who have been classified as belonging to one of the tribal groupings H41, H61, and J51/52, but who would like to be identified as belonging to another group within those three groups, should come to the centre serving the area in which their residence is located during the period set aside for identification of the group to which they belong.

(iii) Applicants who present themselves for classification within the context of the preceding subparagraph shall be identified the following day, so as to give the identification centre time to notify the observers for the parties and to prepare the files. Applicants who present themselves for identification on the last day scheduled for the identification of the group concerned shall be identified that same day.

(iv) Applicants who have already been convoked as members of a group shall not be entitled to be identified as belonging to tribal groupings H41, H61 and J51/52.

Appeals procedures for the referendum in Western Sahara

1. Basis

The appeals procedures contained in this document are based on the settlement plan for Western Sahara, hereinafter referred to as the settlement plan (S/21360 of 18 June 1990 and S/22464 of 19 April 1991), the reports of the Secretary-General on the implementation of the settlement plan for Western Sahara (specifically, S/23299 of 19 December 1991, S/26185 of 28 July 1993, S/1997/742 of 24 September 1997 and S/1997/882 of 13 November 1997), the General Regulations for the Organization and Conduct of the Referendum in Western Sahara (8 November 1991 and S/26185, annex III, of 28 July 1993) and the terms of reference of the Identification Commission (S/26185, annex II).

2. Scope

These appeals procedures concern exclusively certain issues relating to eligibility to vote which arise within the context of the implementation of the settlement plan as indicated in the present document.

3. Competence of the Identification Commission

The Identification Commission is competent to establish and implement the appeals procedures and to see to it that they are in accordance with the General Regulations.

4. Promulgation and date of entry into force

The appeals procedures contained in this document shall be published by the Special Representative of the Secretary-General and shall take effect as of 15 July 1999, date of publication of the first part of the provisional list of persons eligible to participate in the vote.

5. Definitions

Applicant:	Anyone who files an appeal in accordance with the procedures outlined in this document.
Candidate for identification:	Anyone who has filed with the Identification Commission a form requesting identification, or anyone on whose behalf such a form has been filed.
Criteria:	The five criteria for establishing eligibility to participate in the referendum, outlined in documents S/23299 of 19 December 1991 and S/26185, annex I, of 28 July 1993.
MINURSO:	United Nations Mission for the Referendum in Western Sahara.
Provisional list:	Provisional list of persons entitled to participate in the vote, published by the Special Representative upon completion of the identification process, the first part of which will include those identified up until September 1998; the other parts will contain the names of those identified in 1999.
Parties:	The Moroccan Government and the Frente POLISARIO.
Special Representative:	The Special Representative of the Secretary-General for the referendum in Western Sahara.

6. Communication to the parties and publication

(a) This document shall be communicated to the parties, through their respective coordinators and offices, in 10 copies, in French, Arabic and Spanish.

The Coordinator for the
Moroccan Government with
MINURSO at Laayoune

The Coordinator for the
Frente POLISARIO with
MINURSO at Tindouf

This document shall also be communicated to the principal observer for the Organization of African Unity (OAU) at Laayoune.

(b) This document shall be posted visibly in each of the identification centres/field offices established or to be established in the Territory of Western Sahara (Laayoune, Boujdour, Smara, Dakhla), in the Tindouf region in Algeria (the camps of Smara, El Aiun, Dakhla and Awsard), in Morocco (Tan Tan, Guelmim, Marrakesh, El-Kelaa-des-Srahna, Rabat, Casablanca, Meknes and Sidi Kacem and, as from 1 October 1999 onwards, at Assa, Tata, Taroudant and Ouarzazate and in Mauritania (Zouerate and Nouadhibou).

(c) The Identification Commission shall provide a copy of this document free of charge, in French, in Spanish or in Arabic, to any person wishing to file an appeal in one of the centres/field offices.

7. Definitive nature

Appeals procedures regarding the referendum in Western Sahara may not be challenged in the Appeals Chamber.

8. Referral to the Appeals Chamber

The appeals procedures referred to in this document may be instituted by:

(a) Any candidate for identification who has turned 18 years of age by 31 December 1993 and whose name does not appear on the provisional list of persons entitled to participate in the vote published by the Special Representative (hereafter called case of "non-inclusion"), who can establish that he meets the conditions required for participation in the vote under one or more than one criterion.

(b) Any candidate for identification whose name is on the provisional list of persons entitled to participate in the vote published by the Special Representative, and who can establish that the Identification Commission should not have included another person on the said list (hereafter called case of "inclusion"), in accordance with the criteria referred to in article 5.

(c) Anyone whose name is on the revised list drawn up by the Identification Commission in 1991 of persons included in the Spanish census of 1974 in Western Sahara and who has not been convoked by the Identification

Commission for purposes of identification and has expressed the wish to be so convoked prior to 3 September 1998.

9. Grounds for appeal

There are four grounds for appeals against non-inclusion in the provisional list and two grounds for appeals challenging inclusion.

1. Appeals against non-inclusion: An appeal may be filed by:

(i) Any candidate for identification who filed a form with the Identification Commission prior to 13 November 1997 and whom the Commission failed to convoke or to identify, or any person on whose behalf such a form was filed;

(ii) Any candidate for identification who was convoked by the Commission, but who, for reasons beyond his control, did not appear before it, provided that a written communication explaining the reasons for the failure to appear, was addressed to the Commission prior to or within 30 days following the date of the convocation;

(iii) Candidates for identification who have appeared before the Identification Commission but who, in the latter's estimation, have not established their eligibility to vote according to the eligibility criteria referred to in article 5 of this document, where new circumstances or developments or any evidence of which the member of the Identification Commission who ruled on the case was not aware justify reconsideration of their case;

(iv) Anyone whose name appears on the revised list, established by the Identification Commission in 1991, of persons included in the 1974 Spanish census in Western Sahara who has not been convoked for identification by the Identification Commission and who expressed the desire to be convoked prior to 3 September 1998.

2. Appeals against inclusion: Such appeals may be made by anyone whose name appears on the provisional list of persons eligible to vote in the referendum and who wishes to challenge an individual's inclusion in this list:

(i) If the person's inclusion was based on mistaken identity;

(ii) If the person does not meet any of the criteria referred to in article 5.

10. Form of the appeal

(a) Applicants must submit an application containing all the necessary and relevant information in person to one of the field offices listed in article 6 (b), by mail to one of three post office boxes established for that purpose or through the intermediary of one of the parties, and must attach the

original or a certified copy of any necessary and relevant document in support of their application;

(b) The Identification Commission shall provide potential applicants, free of charge, with the application forms, which must be available in French, Arabic and Spanish in each of the field offices mentioned in article 6 (b);

(c) Use of the application form is compulsory.

11. Date and place of submission of applications

(a) In accordance with the current procedures, all appeals must be submitted in person to any of the Identification Commission field offices mentioned in article 6 (b) or sent, by mail, bearing the sender's return address, to one of the three centres at Post Office Box ..., Laayoune, Post Office Box ..., Tindouf and Post Office ..., Nouadhibou, or through the intermediary of one of the parties. Applicants must submit their appeals within six weeks from the date of publication by the Special Representative of the part of the provisional list of persons eligible to vote in the referendum, which concerns them.

(b) The Identification Commission shall date stamp all applications and record them in a register as they are received, verifying the number and type of documents attached;

(c) In order to permit strict monitoring of the receipt of applications and verification of the supporting documents, the registers shall include mention of the name of the Commission official who recorded the application; a receipt shall be issued for each application;

(d) Anyone whose inclusion in the provisional list has been challenged shall be informed as soon as possible by the Commission, with the help of the parties, of the grounds on which his inclusion is being challenged;

(e) Anyone appealing against non-inclusion or whose inclusion in the provisional list has been challenged shall have a right to see the information contained in his file.

12. Admissibility of applications

(a) The field offices shall carry out an initial review of applications and shall inform the Appeals Chamber as to whether an application meets the criteria set forth in article 10 (a) above;

(b) The sections of the Appeals Chamber established under article 14 (a) shall conduct a technical review of the admissibility of applications prior to consideration of the substance thereof under articles 13 and 14;

(c) The Observer for the Organization of African Unity and the parties shall each be invited to send an observer to the meetings devoted to the

admissibility review, but the observers shall not be present when the vote is taken. The appeals section shall take a decision on admissibility and shall inform the parties thereof; the latter shall have one week in which to communicate their comments and observations to the section in question. At the end of that process, the section shall issue a final decision on admissibility;

(d) Applicants whose applications have been ruled inadmissible, shall receive written notification of the Identification Commission's decision, and of the reasons therefor at the return address provided. A copy shall be sent to the parties.

13. Hearing on the substance

Hearings on the substance of applications shall be held before a section of the appeals body in accordance with article 14 once the application has been declared admissible under article 12.

14. The Appeals Chamber

(a) The Identification Commission shall establish an Appeals Chamber composed of several sections. Each section shall be composed of three persons, none of whom may have participated, either as a member of the Identification Commission or as a registrar, in the original decision which is being contested. Each section shall be presided over by a senior officer of the Identification Commission; the two other persons shall be either members of the Identification Commission or Identification Commission registrars.

(b) Decisions shall be taken by a majority vote of the section members.

(c) Section hearings shall be strictly confidential. Only the above-mentioned persons shall have a right to attend, and only at the stages to be determined.

(d) The OAU Observer and the parties shall each be invited to send an observer to the section hearings, but such observers may not be present during the section vote.

(e) The two sheikhs appointed by the Identification Commission for each of the tribal groupings concerned shall attend the hearings on the substance as expert witnesses but may not be present during the section vote.

(f) Applicants shall be invited to attend the hearing; they shall have the right to present their case, explain the grounds thereof and make any statement in support of their appeal. Persons whose application for inclusion in the provisional list has been challenged shall be invited to attend the hearing and have the right to put forward any argument and to make any statement in support of their continued inclusion.

(g) The sections shall issue their decisions, in writing and accompanied by a statement of reasons, within 10 days of the end of the hearing. Any

comments by the parties shall be taken into account. Decisions shall be communicated to the parties, via their respective coordinators, and to the applicant at the latter's last known address.

(h) The decisions of the section of the Appeals Chamber shall be final and without appeal and shall be filed as such.

(i) The minutes of the hearings shall be retained by the Identification Commission for a period of two months after the end of the deliberations. They shall then be held by the United Nations and may be consulted only by the applicant and the person whose inclusion was challenged. In any event, the United Nations shall hold all documents under conditions of confidentiality.

15. Cooperation with the parties

The Identification Commission shall be responsible for implementation of the appeals procedures. However, the parties must cooperate in carrying out all related activities and, in particular, must:

(a) Provide the Commission with the necessary premises, housing for the Commission staff, sheikhs and observers and all facilities required for the appeals process;

(b) Ensure that all applicants or persons whose inclusion in the provisional list has been challenged and any other persons engaged in the Commission's work have the right to enter and leave the premises of the field office for the duration of the hearing or of their business with the Commission.

Operational directives for implementation of the appeals process

These operational directives have been established by the Identification Commission in order to determine the procedures for initiation of the appeals process, filing and processing of appeals and review of their admissibility, hearings on the substance of applications, and Commission programming and planning in cooperation with the parties.

I. Initiation of the appeals process

1. The appeals procedures shall enter into force on 15 July 1999, the date of publication of the first part of the provisional list of persons eligible to vote in the referendum under articles 4 and 5 of the appeals procedures. The subsequent parts of the provisional list shall be published after any remaining applicants have been identified on a case-by-case basis.

2. Each part of the provisional list of persons eligible to vote in the referendum shall be available for consultation by any interested persons in each of the designated centres as from the date of its publication and shall be communicated to the parties and the OAU observer in written form and on

diskette. The provisional list shall include, for each person, the application number, the applicant's full name, his or her mother's given name, his or her date of birth, sex, genealogical code and current address and the centre where he or she was identified.

3. Where necessary, the parties shall facilitate the Commission's access to the media, including radio, television and the local press, so that it can inform potential applicants of the deadlines for filing appeals, the availability of application forms and the documents to be submitted along with such applications: proof of identity, including the receipt issued at the time of identification or the number of the identification form.

4. A file transcript shall be provided, upon request, to an applicant under article 9.1 (iii) of the appeals procedures, or to anyone whose inclusion in the provisional list has been challenged under article 9.2. A sample file transcript is appended to this document as Annex 1. Applicants under article 9.1 (iii) of the appeals procedures and persons whose inclusion in the provisional list has been challenged under article 9.2, may have access to their files in order to examine the contents thereof by submitting a request to one of the established centres. If the file is not immediately available, it shall be made available for examination within five working days.

II. Filing of appeals

5. Appeals shall be filed with the Identification Commission by submitting the appeals application. The application must include the applicant's personal information, the number of the registration form, the grounds for the appeal and a list of the supporting documents provided. The applicant must swear to the accuracy of the information contained in the application and sign it.

6. Applicants shall receive, in person when filing the application, by mail or through the intermediary of one of the parties, a receipt containing the following information:

- The date and series number of the receipt and the name of the centre at which the application form was received;

- The number of the applicant's registration form and the grounds for the appeal under article 9 of the appeals procedures;

- The name of the official who received the application.

7. In the case of oral testimony, the witness shall fill out a witness's form, which shall be submitted by the applicant together with the application form. The witness's form shall include the witness's personal information and relationship to the applicant and a summary of the evidence provided in the testimony. The witness must swear to the accuracy of the information contained in the form and sign it.

8. The Commission shall provide applicants and the parties with the necessary forms for distribution.

III. Locations and deadlines for the filing of appeals

9. Applicants shall fill in their appeal forms and submit them in person at one of the centres indicated in article 6 (b) of the appeals procedures, or by mail, addressing the form to one of the three centres of the Identification Commission at Laayoune, Post Office Box ....., Tindouf, Post Office Box ....., or Nouadhibou, Post Office Box ....., or through the intermediary of one of the parties.

10. Processing of appeal forms shall begin on the date of publication of the relevant part of the provisional list and shall continue for six weeks. The Commission shall not accept forms submitted after the specified time limit, and the forms shall be returned to the sender.

IV. Working hours and staff of the centres

11. All the designated centres shall be open five days a week (from Monday to Friday), seven hours a day, during the six-week period specified for the processing of appeal forms. The Commission shall determine the opening hours at each designated centre and shall announce them throughout the form processing period.

12. At each designated centre there shall be at least two officials of the Identification Commission, one of whom shall be either a member of the Commission or an official in charge of registration, and the other a registration agent.

V. Handling of the appeals at the centres

13. The staff of the centres shall be available to help applicants complete the appeal forms in conformity with the provisions indicated above.

14. The personnel of the centre shall conduct an initial review of the appeal forms in order to verify their conformity with the formal provisions of article 10 (a) of the appeals procedures and paragraph 5 of the present guidelines.

15. The appeal forms lodged with the centres shall be sent to the office of the Identification Commission at Laayoune or Tindouf, with comments attached in each case where the requisite conditions for the filing of appeals have not been met.

VI. The Appeals Chamber and the sessions

16. The sections of the Appeals Chamber shall decide on the admissibility of an appeal in accordance with the provisions of article 12 (b) of the appeals procedures, and shall decide on its validity in accordance with the provisions of articles 13 and 14 of the appeals procedures.

17. In the case of exclusion from the provisional list, appeals shall normally be heard at the centre where the applicant was identified or at the centre closest to his residence, or elsewhere with the consent of the parties. In cases involving inclusion in the provisional list, the appeal shall be heard at the centre closest to the residence of the person being challenged.

18. Sessions of the sections of the Appeals Chamber shall be scheduled in each designated centre, by tribal grouping. Notice of the sessions scheduled and the list of appeals (including the various grounds for appeal, the names of the applicants and the names of persons whose inclusion in the provisional list is challenged) shall be made available to the parties and to OAU at least one week prior to the session. In the case of an appeal against inclusion, the Commission, with the assistance of the parties, shall, at least two weeks before the scheduled hearing, inform the person concerned that his inclusion in the provisional list has been challenged.

19. At the start of the session, the official in charge of registration shall announce the order of the weekly session, that is to say the number of appeals and the grounds for them. The work of the session shall begin with the consideration of admissibility.

Admissibility

20. Consideration of the admissibility of an appeal shall be conducted by the section of the Appeals Chamber on the basis of the documents filed and available - the appeal form and the supporting documentation, if any, which may include the relevant witness' forms and the identification file. The members of the section of the Appeals Chamber shall examine the documents submitted and those available in the file, and shall withdraw to deliberate and vote on the admissibility of the appeal.

21. Admissibility shall be considered from the technical standpoint. Accordingly, an appeal shall be deemed inadmissible if:

(a) The appeal form is not lodged within the six-week time limit as provided for in article 11 (a) of the appeals procedures; or

(b) The appeal form is not drawn up in accordance with the provisions of article 10 (a) of the appeals procedures; or

(c) The applicant was not, under the terms of article 8 of the appeals procedures, entitled to file an appeal; or

(d) The applicant has not demonstrated

(i) In the case of an appeal against non-inclusion:

- That a form requesting identification was submitted to the Identification Commission prior to 13 November 1997, and that the Commission failed to convoke him; or

- That prior to or within 30 days following the date of his convocation, a written communication was addressed to the Commission explaining that his failure to appear was for reasons beyond his control; or

- That the member of the Commission who ruled on the case was not aware of the subsequent circumstances or developments or of any facts cited in support of the appeal; or

- That his name appears on the revised list of persons included during the 1974 census, that he expressed, prior to 3 September 1998, the desire to be convoked and that he has not been convoked for identification; or

(ii) In the case of an appeal against inclusion, that the name of the applicant is included in the provisional list.

22. Decisions regarding admissibility shall be immediately and publicly announced by the section of the Appeals Chamber in the presence of the observers of the parties and of OAU. The section of the Appeals Chamber shall then, in the case of appeals deemed admissible, proceed with hearings on the substance. The parties shall have the opportunity of submitting their comments during the seven days following the decision by the section of the Appeals Chamber.

23. Following that period, the section of the Appeals Chamber shall render its final decision regarding the admissibility of the appeal. If it decides that an appeal is not admissible, the section of the Appeals Chamber shall provide the grounds for its decision in writing, and shall communicate them to the applicant and, as appropriate, to the person whose inclusion in the provisional list was challenged, at his last known address. A copy of the decision shall also be sent to the parties.

Hearings on the substance

24. For each session at each designated centre, the Commission shall draw up a convocation list by tribal grouping for the hearings on the substance, and shall communicate it to the parties and to OAU at least one week prior to the session. The Commission shall aim at holding 20 to 25 hearings a day.

25. The Commission shall progressively publish a projected programme showing for indicative purposes the dates, locations and scheduled duration of the hearing of the appeals coming from each tribal grouping concerned.

26. Proceedings on the substance shall be oral in nature.

27. The hearings on the substance of an appeal on the grounds described in article 9.5 (i), (ii) and (iv) of the appeals procedures shall be held in accordance with the procedures governing the identification process. The only witnesses shall be the two sheikhs designated for the tribal grouping concerned.

28. Hearings on the substance of an appeal on the grounds described in article 9.1 (iii) of the appeals procedures shall be conducted in the presence

of the applicant, the two sheikhs designated for the tribal grouping concerned and one observer each from each of the parties and from OAU.

29. Oral testimony shall be heard by the section of the Appeals Chamber when it is presented, in accordance with the provisions of article 9.1 (iii) of the appeals procedures, as a new circumstance or fact which was not known to the member of the Commission who ruled on the case.

30. There may be no more than two witnesses per applicant or per person whose inclusion in the provisional list is challenged. All testimony shall be given under oath.

31. Hearings on the substance of appeals on the grounds referred to in article 9.2 of the appeals procedures shall be held in the presence of the applicant, the person whose inclusion in the provisional list is challenged, the two sheikhs designated for the tribal group concerned and one observer each from each of the parties and from OAU.

32. The section of the Appeals Chamber shall reject any appeal based on the provisions of article 9.2 of the appeals procedures if the applicant is not present at the time and at the centre scheduled for the hearing.

33. The parties may submit written observations supporting or opposing an appeal, either before the hearing or before the end of the hearing.

34. In an appeal against non-inclusion or inclusion, the burden of convincing the section of the Appeals Chamber of the validity of his appeal shall rest with the applicant. A person whose inclusion in the provisional list is challenged shall have the right to make any statement in support of the decision taken by the Commission, bring out all information which serves that purpose, and present up to two witnesses.

35. In considering the probative value of the testimony provided in support of any of the five criteria of admissibility to vote, the section of the Appeals Chamber shall take into account the witness's personal knowledge of the circumstances or facts referred to, and whether the circumstances or facts were or were not known at the time of the Commission's initial decision.

36. The witness shall be invited to appear before the section of the Appeals Chamber in order to present his testimony. The sheikhs who were present during the initial hearing of the Identification Commission or their replacements designated in accordance with established practice may put questions to the applicant and the witness. The witness shall withdraw once his testimony has come to an end. The sheikhs shall then be invited to make comments.

37. The section of the Appeals Chamber shall reverse the initial decision of the Identification Commission if it is convinced that the probative value of the oral or written testimony submitted prevails over the testimony previously given by the applicant and by either sheikh, and over any other information available to the Commission.

38. At the conclusion of the hearing, the members of the section of the Appeals Chamber shall withdraw in order to deliberate, and shall issue their decision within a maximum period of ten days. Decisions of the sections of the Appeals Chamber shall be taken by majority vote. The decisions shall be final and not subject to appeal, and shall be archived as such.

39. The decision in respect of any appeal shall be communicated in writing to the applicant and, as appropriate, to the person whose inclusion in the provisional list was challenged, at his last known address, as well as to the parties and to OAU.

40. If an appeal against non-inclusion is accepted, the name of the applicant shall be added to the provisional list. In the case of acceptance of an appeal against inclusion, the name of the person challenged shall be deleted from the provisional list.

Time-frame for the implementation of the Settlement Plan

Before 14 May 1999	Agreement by the parties on the arrangements for:
	a. The identification of the remaining applicants from tribal groupings H41, H61 and J51/J52, beginning on 15 June 1999, and the appeals process, beginning 15 July 1999.
14 May 1999	The Security Council extends the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO).
17 May 1999	Resumption of the pre-registration operations by the Office of the United Nations High Commissioner for Refugees (UNHCR) in the Tindouf camps.
15 June 1999	a. Resumption of identification.
	b. Agreement by the parties on the arrangements for planning the repatriation of the refugees.
15 July 1999	a. Publication of the first part of the provisional list of persons authorized to vote.
	b. Start of the appeals process.
August 1999	c. The Security Council authorizes the Secretary-General to carry out preparatory work for the complete deployment of MINURSO, in anticipation of the transition period.

30 November 1999	a. End of identification. b. Publication of the last part of the provisional list. c. Establishment of the Referendum Commission.
28 February 2000	End of appeals.
6 March 2000	a. Beginning of the transition period. b. Publication of the list of persons authorized to vote. c. Beginning of the repatriation of the refugees authorized to vote and their immediate families.
10 July 2000	a. End of repatriation. b. Beginning of the referendum campaign.
31 July 2000	Referendum.

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Fifty-third session
Agenda item 64
MAINTENANCE OF INTERNATIONAL
SECURITY - PREVENTION OF THE
VIOLENT DISINTEGRATION OF STATES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 27 April 1999 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a letter from the Minister for Foreign Affairs of Mexico, Ms. Rosario Green, concerning the efforts you have been making to find a solution to the conflict in Kosovo (see annex).

I should be grateful if you would see to it that this letter is circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(Signed) Manuel TELLO
Permanent Representative
of Mexico to the
United Nations

ANNEX

Letter dated 21 April 1999 from the Minister for Foreign Affairs of Mexico addressed to the Secretary-General

I am again writing to you at a time of crisis for our Organization to express the Mexican Government's wholehearted support for and solidarity with the actions you are taking to preserve international peace and security.

As you know, my Government deeply regrets the recent turn of events in Yugoslavia. We join the international community in rejecting the violations of the basic rights of individuals, families and communities that are being perpetrated. At the same time, we believe that the use of force, even when prompted by the noblest humanitarian motives, leads to further violence and is unlikely to produce a solution of the problems.

My Government believes that it is within the framework of the United Nations that a negotiated political solution to the conflict must be sought, based on international law. Accordingly, we welcome the useful steps you have taken, and any further steps that you may take in the future, to have the United Nations play the central role that it behoves it to play in the promotion of dialogue and negotiation in accordance with the provisions of the San Francisco Charter.

I should also like to reiterate our support for the very important work which the United Nations and its agencies are doing to ease the suffering of the many innocent victims of the conflict. In this context, we recognize and are grateful for the useful work being done by the High Commissioners for Human Rights and for Refugees and by the Executive Director of UNICEF.

(Signed) Rosario GREEN
Minister for Foreign Affairs

UNITED NATIONS **S**

Security Council

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S/1999/485
28 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 27 APRIL 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith, for your information, a communication dated 20 April 1999 from the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) (see annex I). The enclosed report, which deals with the situation in Kosovo, is submitted pursuant to Security Council resolutions 1160 (1998) of 31 March 1998 and 1203 (1998) of 24 October 1998, and in compliance with the Council's wish to be kept informed of the situation in Kosovo (see annex II).

I should appreciate your bringing this communication to the attention of the members of the Council.

(Signed) Kofi A. ANNAN

99-12239 (E) 290499 290499

/...

Annex I

[Original: English]

Letter dated 21 April 1999 from the Deputy Permanent Representative of Norway to the United Nations addressed to the Secretary-General

I hereby have the honour to forward the OSCE monthly report on the situation in Kosovo pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998).

(Signed) Svein AASS
Ambassador
Deputy Permanent Representative

Annex II

Letter dated 20 April 1999 from the Chairman-in-Office of the Organization for Security and Cooperation in Europe addressed to the Secretary-General

Reference is made to my letter of 16 February 1999 concerning the contributions of the Organization for Security and Cooperation in Europe (OSCE) to the reporting on the situation in Kosovo pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998).

I hereby enclose the report covering the period from mid-March to mid-April 1999 on the situation in Kosovo, and on the activities of OSCE. Please note that, since the temporary withdrawal of the OSCE Kosovo Verification Mission, verification of cooperation and compliance inside Kosovo has not been possible. Hence, the report does not include a separate chapter on those issues.

(Signed) Knut VOLLEBAEK

Enclosure

Monthly report on the situation in Kosovo, pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998)

Mid-March 1999 - mid-April 1999

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1.General Situation

Following thorough consultations and security considerations the OSCE Chairman-in-Office, Foreign Minister Knut Vollebaek of Norway decided to temporarily withdraw the OSCE KVM from Kosovo. The security environment in Kosovo had noticeably deteriorated in the three weeks prior to this decision. The level of FRY security force activity had increased both in terms of the type and tempo of operations conducted; there had been a concomitant increase in Kosovo Liberation Army (KLA) activity. The number of security incidents involving OSCE personnel had risen. There had been a steady erosion of KVM's ability to fulfil its mandated tasks and the Mission was witness to the Yugoslav authorities achieving their aims both forcibly and incrementally. Even whilst the peace talks were underway in Paris, an offensive appeared to be underway by the Serbian security forces in the area of the Cicavica mountain range.

Security Situation

Immediately following the Mission's withdrawal the tempo of the Serbian security forces offensive began to quicken, especially in the Drenica (around Srbica), Shala (Mitrovica and Podujevo) and Pastrik (Malisevo) regions of the Province. UNHCR reported that over 25,000 people had been displaced due to the fighting. Following the refusal of the FRY to sign the draft peace agreement for Kosovo, NATO on 24th March started its air campaign against the FRY and the Yugoslav Government declared a state of war. The main targets for NATO were military installations and communications facilities. Government buildings, i.e. both the Federal and the Serb ministries of interior, were also destroyed. By 16th April the FRY Government claimed that a thousand people had died and that four thousand had been wounded in NATO air-strikes. A spokesman for the Foreign Ministry said that material damages were in the range of 10 billion dollars. Meanwhile, Serbian security force operations aimed at closing with and destroying the KLA were underway across the whole of Kosovo.

The Chairman of the Temporary Executive Council of Kosovo, Zoran Andjelkovic, was reported to have declared on 5th April that the KLA had been destroyed, with Serbian security forces now in control of the whole Province. However, towards the end of the reporting period, KLA sources claimed that they were beginning to operate from within the Kosovo towns of Pec and Djakovica in the Western part of the Province. There were further claims that they were operating in other areas where they were not believed to have operated before, such as east of Pristina. The same sources alleged that, with the exodus of significant numbers of the Kosovo Albanian civilian population from Kosovo, the KLA's responsibility towards protecting the remainder was significantly lessened and they claimed to be switching their tactics to deploying smaller, more mobile units within the Province. Nevertheless, the KLA further alleged that there were significant numbers of IDPs still in Kosovo, perhaps between 360.000 to 400.000. Towards the end of the reporting period the most significant fighting appeared to be taking place in the western areas of Kosovo, in particular in the vicinity of Junik, close to the border with Albania. This may explain an event, confirmed by the OCSE Presence in Albania, in which FRY soldiers crossed the border and attacked the Albanian border village of Kamenica on 13th April. Yugoslav Foreign Minister Zivadin Jovanovic on 18th April stated that FRY had officially suspended its diplomatic ties with Albania. He accused Albania of organising terrorist incursions into Yugoslavia from its territory and attacking the FRY.

Political Situation

The FRY Government suspended diplomatic relations with the United States, Great Britain, Germany, and France on 25th March. A number of Western countries closed their embassies in

Belgrade. The Serbian Information Minister issued an order that all journalists of "foreign media" whose countries were taking part in the NATO attacks were expelled. However, a few foreign journalists were allowed to stay in Belgrade. The International Committee of the Red Cross (ICRC) withdrew all of their international personnel from Kosovo on 29th March. The last NGO operating in the Province, MSF, was subsequently withdrawn.

FRY Assistant Foreign Minister Nebojsa Vujovic was quoted as saying that the FRY could accept only talks on a civilian presence in Kosovo, and then only from countries that had not taken part in the NATO attacks. The Minister stated "FRY does not want missions like the recent verification mission of the OSCE or the alleged mission which NATO is trying to impose. The OSCE was just an instrument of NATO and a cover for later aggression".

Reports from Belgrade showed no sign that the Federal and Republican budgets were in crisis. However the Federal and Republican authorities may soon face the problem of financing priority expenses such as the army and the police. In addition, there are approximately two million pensioners as well as those employed in education and health that require payment. This suggests that the state may have to print money, thus fuelling inflation. Towards the end of the reporting period one German mark sold for 12 dinars on the black market. The official exchange rate is six dinars to a German mark.

Serbian resistance has showed no sign of weakening. Street-lights were turned off during the first days of air attacks. The street lights in the majority of Serbian towns now stay on, and local centres for information have declared that there is no need for blackouts. Several thousand people gathered on 28th March for a rock concert in a central Belgrade square to protest against the NATO strikes. Since then concerts have continued daily in other Serbian towns. In addition, human chains were formed on bridges to prevent NATO attacks. Observers say that Belgrade authorities were daring NATO to strike civilians in the confidence that NATO would not do so. Press reports indicated that the local population is increasingly angry with NATO and the US, including people who had earlier held negative views concerning the FRY President Slobodan Milosevic. In a joint session of both FRY parliamentary chambers on Monday 12 April, representatives voted overwhelmingly in favour of a proposal for the FRY to join the Russian-Belarussian Alliance. Leading Serbian politicians stated that the decision was "one of the ways of standing up to NATO aggression". There were no immediate Serb comments concerning press reports that Russia and Belarus officials do not see any possibility of FRY joining the Alliance whilst armed conflict continues. The governing Montenegrin Democratic Party of Socialists (DPS) did not attend the parliament session and stated that the session was "illegitimate".

The Montenegrin authorities distanced themselves from a number of important decisions taken by Belgrade. Nevertheless, Montenegrin President Milo Djukanovic on 8 April was quoted by the press as rejecting claims that President Milosevic is preparing a coup in Montenegro. "Political differences exist, but until now we have managed to create a balance of different political groups", Djukanovic said. According to the reports, he called the NATO action a "big mistake" and called on NATO to cease bombing.

The political director of the KLA and the leader of the Albanian delegation to Rambouillet, Hasim Thaci, revealed on 7th April the composition of the transitional Kosovo "Government". Thaci himself is to be the Prime Minister and Foreign Minister, whilst other representatives include members of the United Democratic Front (LBD) led by Rexhep Qosja. The Democratic League of Kosovo (LDK), led by Ibrahim Rugova, has yet to name its representative, Thaci stated. Serbian

television showed pictures of Rugova allegedly having meeting with Presidents Milosevic and Milan Milutinovic of Serbia. The FRY authorities claimed that Rugova had remained voluntarily in Kosovo and that he was under the "protection" of Serb police. Together with Rugova, the FRY authorities said that they were attempting to find a political solution to for Kosovo.

Humanitarian Situation

The expulsion of vast numbers of Kosovo Albanian refugees from Kosovo was the most striking feature of the reporting period. Many thousands sought refuge in neighbouring countries with Albania bearing the heaviest weight of numbers. On 4th April, UNHCR estimated that 204,000 refugees had fled Kosovo for Albania, 33,000 refugees had fled to Montenegro and 121,000 had sought refuge in Macedonian territory. By the 17th April, the figures had increased: an estimated 340,000 refugees had fled to Albania, 70,000 to Montenegro and 135,000 to the former Yugoslav Republic of Macedonia.

This exodus continues and shows no sign of abating. On 18th April, KLA sources alleged that a 25km long column of IDPs between Podujevo and Pristina was moving South to Yugoslavia's border. These IDPs had fled to the hills around the area of Podujevo and were reportedly undernourished. Their expulsion came on a day that the Serbian security forces allegedly made special efforts to take advantage of an apparent lull in the NATO offensive to close with the KLA, forcing the civilian population to flee. KLA sources maintain that between 360,000 to 400,000 IDPs remain in Kosovo.

Human Rights Issues

The Human Rights Division has been monitoring and documenting humanitarian law violations committed against the civilian population of Kosovo since shortly after the withdrawal of OSCE international staff on 20 March 1999. The Human Rights Division has been collecting statements from refugees located throughout the former Yugoslav Republic of Macedonia, from those in camps as well as those housed in local communities.

A range of violations of humanitarian law relating to the protection of victims of non-international armed conflict, as expressed in the four Geneva Conventions and Protocol II, were reported. The statements collected offer a picture of killings, executions, physical abuse, rape, forced displacement, destruction of civilian property and looting, involving individuals and groups of people including the populations of entire villages.

Many people reported violations of humanitarian law committed by paramilitary groups and bands of armed civilians, often referred to as "Arkan's men", "Seselj's men" or simply "paramilitaries". It should be noted that in certain cases interviewees were able to give rather precise descriptions of the uniforms and insignia worn by these groups. In other cases, it was obviously difficult to distinguish paramilitary groups from bands of armed civilians.

The statements paint a picture of lawlessness and absence of any form of protection for ethnic Albanians. Military attacks by the VJ target both civilians and their property, and are most often followed by MUP operations, and raids carried out by paramilitaries and armed civilians. Only in a few cases did reports suggest that individual police officers offered protection. Reports suggest that the absence of representatives of the international community in Kosovo has provided an opportunity for the perpetrators of such crimes to increase the frequency and intensity of violent acts.

Kosovo Conflict Spillover Potential

The OSCE Presence in Albania, the OSCE Spillover Mission to Skopje and the OSCE Missions to Bosnia and Herzegovina and to Croatia continued to follow closely the Kosovo conflict spillover potential.

The crisis in and around Kosovo has dominated life in Albania over the reporting period, as the collapse of the peace process was followed by NATO air strikes and then by the unprecedented mass expulsion of Kosovo Albanians into northern Albania.

Since 27 March, when the first trickle of refugees began crossing from Kosovo, attention has inevitably shifted to the humanitarian dimension of the crisis and the inability of Albania's already weak economy and infrastructure to cope. Apart from the immediate effect on the economy and country of having to assimilate such large numbers, the long term effects of having a large refugee population could prove politically destabilising, as well as adding to the potential for illegal emigration.

Both Government and Opposition in Albania have been unusually united in their approach to the refugee crisis, thanking Western Governments for their readiness to provide temporary shelter as a response to the immediate humanitarian crisis but appealing for those remaining to be looked after in the area so as not to contribute further to the 'ethnic cleansing' of Kosovo. In a statement on 5 April the Minister of Information said that the Government of Albania would not permit the evacuation of Kosovo Albanians from Albania to other European countries. The Opposition Democrats similarly stressed the need for the refugees to be helped in Albania, so that they can remain 'within their ethnic lands', while the conditions are being created for their early return. Nonetheless, after the continued influx of refugees the Albanian authorities agreed to some limited resettlement in well disposed neighbouring countries.

On 23/24 March, the Albanian Government and Parliament met in a series of all- night sessions to agree measures to protect the country and its borders. Following the first air strikes, the Government welcomed NATO's action as a turning point in Albania's history. The Albanian Parliament met on 8 April 1999 to formally approve the stationing of foreign troops on Albanian territory. President Meidani stated that Albania regarded the presence of NATO troops as consistent with its obligations as a member of the Partnership for Peace and essential for the stability of Albania and the region. Albanian political parties unanimously reacted in very similar terms.

In the former Yugoslav Republic of Macedonia the crisis in the region has put enormous burdens on the country, raising public anxiety, straining inter-ethnic relations and relations within the Government and with the international community, and greatly increasing the risk of destabilisation. The key determinant of stability remains how the majority Macedonian reaction interacts with that of the ethnic Albanian community.

Fearing a backlash from majority public opinion, and dangerous destabilising consequences from the longer term presence of refugees disturbing the delicate ethnic balance, the Macedonian Government insisted that it could only receive refugees on a continuing basis in numbers which do not threaten destabilisation, and thus sought guarantees from the international community that they will accommodate refugees out of the country. The long established perceived threshold of 20.000 refugees assessed by the Government and its predecessor as the maximum that could be absorbed without risking destabilisation, has been overwhelmingly breached. This, and

international criticism over the handling of refugees, particularly in Blace, have added to the immense pressure on a Government which is still only a few months old. Still, the partners in the governing coalition have tried to balance the Government line, amidst opposing expectations in the majority population and amongst ethnic Albanians, and have thus far successfully prevented a breakdown. The difficulties in cohabitation between the Government and the President have been eased as both appear to be at one on the handling of the crisis.

Demonstrations against NATO were held in the north, west, centre and south of the country after the start of NATO bombing. With the exception of a rally in Kumanovo and the violent demonstrations of 26 March, all demonstrations were conducted peacefully. These rallies were organised not only in areas with a higher quota of ethnic Serbs in the population, but also in nearly pure ethnic Macedonian regions, which depend economically on trade with Yugoslavia. The DPA leadership has prevented the ethnic Albanian population from organising pro-NATO demonstrations, thus acting as an important restraining influence.

Relations with Albania have been strained as a result of refugee pressures and their handling. The Albanian Government expressed strong criticism of the Macedonian Government's treatment of refugees and especially those trying to enter at Blace saying it would traumatise relations between the two countries. Similar criticism was voiced by the Albanian President and political parties at President Gligorov's statement that Albania, the refugees' mother country, is their natural destination.

Immediately prior to initiation of the bombing campaign, the OSCE Mission in Bosnia and Herzegovina withdrew mission staff from all offices in the Republika Srpska (RS). The Mission has thus far not been targeted and suffered no major loss, and by mid-April the security situation had improved sufficient for the Mission to resume daytime operations in all but three of its field offices in the RS.

Although the majority of refugees from Kosovo and the FRY has been born by other regional governments, an estimated 13,000 Kosovars and 16,000 Sandzakis have arrived in Bosnia and Herzegovina since 24th March. UNHCR say an additional 2,500 Serb refugees have arrived in the RS during the same period, but many more may be coming if hostilities break out in Montenegro. UNHCR reports that the local and national authorities of Bosnia and Herzegovina have so far been helpful and accommodating. However, long term sheltering of these refugees will impact negatively on the International Community's planned 1999 push for minority return in Bosnia and Herzegovina.

The crisis has also destabilised somewhat the RS political situation and has had a deleterious effect on political interaction between its leadership and the international community. Radical Serb political elements, often exploiting biased media, seem determined to take advantage of the situation to undermine the Dayton principles. However, the majority of RS politicians have reacted responsibly, and by mid-April there was some movement towards normalisation – street demonstrations had virtually stopped, dialogue was resuming, and some moderate Serb leaders had resumed minimal participation in Bosnia and Herzegovina Joint Institutions. The situation though remains very fragile.

In Croatia, the direct impact of NATO actions over the Federal Republic of Yugoslavia remains limited. Border crossings with FRY over the Danube have been closed to traffic and movement is reported to be very low. The security situation in the Danube Region is reported as relatively

stable. While dissatisfaction with NATO actions is high among the Serb community in the Danube Region, the situation remains calm. The leader of the main Serb party in the Region stated that Serbs in the Region must avoid giving radicals among the authorities any excuse to deploy the Croatian Army in the area.

The Government's response to the NATO strikes against the FRY has been measured and carefully in line with NATO pronouncements. Senior Croatian officials have expressed strong hopes that Croatia's international standing will rise as a result of the NATO actions. Following a meeting with Madeleine Albright in Washington on 31 March, Foreign Minister Mate Granic expressed the hope that Croatia's integration into international structures, notably Partnership for Peace and the World Trade Organisation, may be accelerated.

2. OSCE Activities

Activities of the Chairman-In-Office and the Permanent Council

Ambassador William Walker, KVM HOM, briefed the Informal Ad Hoc Meeting on March 24 about the withdrawal of KVM from Kosovo, and the Permanent Council on March 25. NATO air strikes began on March 24. He spoke of the deteriorating security environment and the "momentous decision" required to withdraw the Mission. He was congratulated on the professional manner in which the Mission was withdrawn.

The CiO briefed a reinforced meeting of the Permanent Council on 26 March in which he directed that the Mission should be reduced in size to approximately 250 personnel. This was initiated on 29 March and completed by 1 April. At a Permanent Council meeting on 1 April it was felt appropriate, given the size of the refugee influx, that KVM's assets were used to support UNHCR in Albania and in the former Yugoslav Republic of Macedonia; approximately 70 specialists were sent from Vienna in order to complement Mission assets in place in Macedonian territory.

The Chairman-in-Office conducted a visit to Albania and the former Yugoslav Republic of Macedonia on 6-7 April to assess how the OSCE best can assist further with regard to the influx of refugees from Kosovo in these countries. The C-i-O met with Heads of Governments in the two countries in addition to chairing meetings of representatives of humanitarian and other international organisations engaged in refugee relief with a view to improving the speed and effectiveness of the collective support. In Skopje he urged the Government to set up a 24 hours crisis co-ordination centre, with participation by all relevant actors, national and international. Such a centre has already been established in Tirana.

At an Informal Ad Hoc Meeting on 13 April the Chair briefed Delegations about the planning process for a new OSCE Mission in Kosovo. A concept paper was distributed to all Delegations at a meeting of the Permanent Council on 15 April.

KVM Operations

In addition to the tasks set for the "Core Mission" of the KVM, which include the planning and preparation for re-deployment of an OSCE Mission to Kosovo, the Mission has also substantially assisted UNHCR with the significant influx of Kosovo Albanian refugees into Albania and the former Yugoslav Republic of Macedonia.

The 152 personnel of the KVM Macedonian Task Force have devoted substantial effort and resources to supporting UNHCR in the agency's role as lead manager of the Stenkovac Refugee complex, which is comprised of two separate refugee camps. The Task Force also helps to staff, on a 24 hour basis, the UNHCR Co-Ordinating Centre at the UNHCR HQ building in Skopje; they are also engaged in assisting at Skopje airport in the reception of humanitarian assistance and continue to register refugees including those departing to third countries by air; and additinal Task Force personnel are employed in monitoring the three FRY Kosovo/Macedonian border-crossing points for any new influx of refugees. Further work is being carried out by teams of human rights specialists tasked with monitoring the abuses alleged to have taken place in Kosovo.

The 77 staff in KVM's Albanian Task Force, sent to assist UNHCR withits humanitarian support to refugees, and working in close co-ordination with the OSCE Presence in Albania, organised itself into three groups, North, Central and South, with a headquarters and operations room in Tirana. Teams were deployed to all the 12 Prefectures of Albania as well as to the airport and to the sea port authorities in Durres. Two liaison officers were also seconded to the Albanian Government's Crisis Management Committee. In essence, the KVM Albanian Task Force are tasked with registering refugees, alerting specialist agencies to their needs and concerns and the gathering and reporting of additional information. It also provides logistic and administrative support to UNHCR.

KVM Operational Status

Following the withdrawal from Kosovo, the KVM repatriated 1108 international verifiers between 29th March and 1st April. The Mission strength subsequently stood at 251. During the process of downsizing the Mission, it became evident that some resources would need to be diverted from core tasks to meet the emerging humanitarian crisis created by the exodus of Kosovo Albanian refugees to Albania and to the former Yugoslav Republic of Macedonia. This prompted the establishment of two OSCE KVM taskforces, one in Albania and the other in the former Yugoslav Republic of Macedonia, tasked to provide assistance to UNHCR and to other international organisations and local authorities. In addition to those resources found within the core, two further augmentations of Mission personnel were required to meet these new challenges. Firstly to support the taskforce to Albania and secondly, approximately a week later, to support the taskforce to the former Yugoslav Republic of Macedonia. The most recent augmentation of a further 34 personnel brings the current strength of the OSCE KVM to 343, with 77 employed in Albania, 152 on humanitarian tasks in the former Yugoslav Republic of Macedonia and 114 supporting the core function of the Mission.

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LETTER DATED 23 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF GERMANY TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention a statement on the Korean peninsula by the Presidency of the European Union, issued on 26 March 1999 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official Security Council document.

(Signed) Gerhard Walter HENZE
Chargé d'affaires a.i.
Deputy Permanent Representative of
Germany to the United Nations

99-12400 (E) 300499 300499

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Annex

[Original: English and French]

Statement on the Korean peninsula made on 26 March 1999 by the Presidency of the European Union

The European Union underlines its continued commitment to peace and stability on the Korean Peninsula and its support for the policy of engagement pursued by the Republic of Korea. It welcomes the agreement reached by the United States of America and the Democratic People's Republic of Korea, following talks in New York from 27 February through 15 March 1999. It sees in this agreement a reaffirmation by the United States and the Democratic People's Republic of Korea of their commitment to the Geneva Agreed Framework of 1994.

The European Union also draws attention to the outline agreement reached between the European Commission and the Democratic People's Republic of Korea negotiators which, subject to normal European Union decision-making procedures, would provide for a European Union food aid and agricultural rehabilitation programme for 1999, worth 30 million euro. Moreover, the European Union underscores its willingness to consider holding a second round of political dialogue with the Democratic People's Republic of Korea later this year, depending on progress on the Korean Peninsula.

The Union believes that these developments constitute positive steps towards a lessening of tensions and the building of trust among all parties interested in an improvement of the overall situation on the Korean peninsula.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the European Free Trade Association countries Iceland and Liechtenstein members of the European Economic Area align themselves with this statement.

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LETTER DATED 23 APRIL 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF GERMANY TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention a statement on Indonesia by the Presidency of the European Union, issued on 7 April 1999 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official Security Council document.

(Signed) Gerhard Walter HENZE
Chargé d'affaires a.i.
Deputy Permanent Representative
of Germany to the United Nations

99-12406 (E) 300499 300499

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Annex

[Original: English and French]

Statement on Indonesia made on 7 April 1999 by the Presidency of the European Union

Bearing in mind that Indonesia plays an essential role in the Association of South-East Asian Nations (ASEAN) and is an important factor for regional stability, and being convinced that political and economic reforms as well as the consolidation of the political system based on the rule of law are indispensable for the positive development of Indonesia, the European Union (EU) notes with satisfaction that, despite serious political and economic difficulties caused by the unprecedented economic crisis as well as by the legacy of the Suharto regime, the Government of Indonesia has initiated and implemented an impressive range of political, economic, social and legal reforms.

EU particularly welcomes the steps taken by the Indonesian Government to:

(a) Foster the process of democratization by introducing new laws on political parties, the election and the role of the military as well as guaranteeing civil and social liberties;

(b) Stabilize the economy by setting up an agenda of concrete measures in close cooperation with the International Monetary Fund (IMF) in the field of macroeconomic policy as well as structural reform in the corporate and banking sector;

(c) Dampen the negative social effects of the crisis by implementing the social safety net programme covering education, employment, health and nutrition;

(d) Improve the human rights situation as outlined in the National Action Plan on Human Rights. In this context, EU appreciates the ratification of a number of relevant human rights instruments as well as the release of a substantial number of political prisoners.

EU considers these positive developments as a solid basis for a stable process of change of Indonesia's political, economic and social system leading to a civic society based on democratic principles, the rule of law and internationally accepted human rights standards. EU offers Indonesia its full support on this difficult reform path.

In view of the upcoming parliamentary elections of 7 June, EU is prepared to support and contribute to the election process in Indonesia by providing support to the National Plan of Action for Public Education via local non-governmental organizations as well as to set up an EU observer mission under United Nations auspices for the election and its preparation phase.

While encouraging Indonesia to further follow its reform path, EU continues to be concerned about the security situation in the country and its handling by the Indonesian security forces.

The recent violent outbreaks in the Moluccas (Ambon) and west Kalimantan with hundreds of deaths as well as the tense situation in other troubled areas (in particular Aceh and Irian Jaya) call for a new approach in dealing with these incidents.

EU considers it essential that the delicate ethnic and religious balance of Indonesia be preserved. Acts of violence jeopardizing this balance should be dealt with by the security personnel in a way that is in accordance with international human rights standards and with the aim of reducing the existing high level of tension.

EU therefore calls on all parties concerned to show the utmost restraint in the pursuit of their political goals in order to avoid a further increase of tension.

EU looks forward to further developing its partnership with Indonesia through practical assistance, through dialogue both bilaterally and in multilateral forums and through high-level exchanges.

The Central and Eastern European countries associated with EU, the associated country Cyprus and the European Free Trade Association (EFTA) countries members of the European Economic Area align themselves with the present statement.

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LETTER DATED 23 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF GERMANY TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention a statement on East Timor by the Presidency of the European Union, issued on 20 April 1999 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official Security Council document.

(Signed) Gerhard Walter HENZE
Chargé d'affaires a.i.
Deputy Permanent Representative of
Germany to the United Nations

99-12413 (E) 300499 300499

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Annex

[Original: English and French]

Statement on the latest incidents in East Timor made on 20 April 1999 by the Presidency of the European Union

The European Union is deeply concerned that since its declaration of 12 April, violence has escalated substantially in East Timor. In Dili, pro-integration militias carried out new attacks on 17 and 18 April, killing some 30 unarmed civilians and injuring many more. The teenage son of Manuel Jose Carrascalao, speaker of the Conselho Nacional de Resistencia Timorense, is reported to be among those killed. The EU is particularly concerned that these acts of violence occurred within a short distance of the military command of the Indonesian armed forces stationed in East Timor and that those forces did not intervene in order to prevent or stop the incident.

The European Union strongly condemns these acts of violence and urges all parties in the territory of East Timor to show the utmost restraint in order to avoid further such incidents. The EU expresses its deep concern that the Indonesian authorities were unable to prevent the new attacks, resulting in the loss of innocent human lives. The EU notes in this context the fact that the Indonesian Government has likewise condemned these attacks and taken responsibility for the incident. The EU urges the Indonesian Government actively to assume its responsibility and to ensure that violence will not recur. The EU again reiterates its position that it remains the obligation of the Indonesian Government to maintain and preserve security, stability and public order in East Timor, to disarm militias and to hold accountable those responsible for the killings.

Recent developments have shown that a United Nations presence in East Timor is urgently needed to help prevent further violent clashes in East Timor. The EU urges the Indonesian authorities to recognize this need and to allow the United Nations to deploy its personnel in the territory.

The EU underlines the importance of the ongoing tripartite negotiating process which remains the only way to reach a just, comprehensive and internationally acceptable solution to the East Timorese issue, taking into account the rights of the people of East Timor and the interests of all parties concerned.

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29 April 1999

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Draft resolution

The Security Council,

Recalling all its previous resolutions on the question of the Western Sahara,

Taking note of the report of the Secretary-General of 27 April 1999 (S/1999/483) and the observations and recommendations contained therein,

1. Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 14 May 1999;

2. Requests the Secretary-General to keep the Council informed of all significant developments in the implementation of the Settlement Plan and the agreements reached with the parties, and, as appropriate, on the continuing viability of the mandate of MINURSO;

3. Decides to remain seized of the matter.

99-12497 (E) 300499

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LETTER DATED 28 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the following conclusions which were issued on 26 April 1999 (see attached copies in French and in English):

- Conclusions of the Council (General Affairs) of the European Union on the Kosovo crisis;

- Declaration of the Council (General Affairs) of the European Union on Romania and Bulgaria.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Gerhard Walter HENZE
Chargé d'affaires a.i.
Deputy Permanent Representative
of Germany to the United Nations

Annex

[Original: English and French]

Conclusions of the Council of the European Union on the crisis in Kosovo

The Council recalled its conclusions of 8 April and expressed its strong and continuing support for maximum pressure from the international community on President Milosevic and his regime to stop their brutal campaign of forced deportation, torture and murder in Kosovo and accept the international community's five demands. It also reaffirmed the European Union's commitment to contribute fully to relieving the fate of the hundreds of thousands of refugees and internally displaced persons caused by President Milosevic's policy. The Council also considered the regional implications of the crisis. In particular the Council:

- Commended the efforts of the international humanitarian organizations, in particular the Office of the United Nations High Commissioner for Refugees, which the European Union and its members are supporting in every possible way;

- Welcomed the Commission's commitment to the speedy implementation of the Council decision of 8 April, on the disbursement of 150 million euros of European Community assistance for refugee relief and of 100 million euros budget support for the refugee-related expenses of countries in the region;

- Following the adoption of a common position imposing on the Federal Republic of Yugoslavia a ban on the delivery of petroleum and petroleum products, reached a political agreement today with a view of its formal entry into force no later than Friday, 30 April 1999. In this context the Council welcomed the intention of associated countries to joint the European Union's oil embargo, and invited third countries to follow suit.

- Agreed to extend the existing European Union sanctions regime and welcomed the Commission's intention to introduce proposals, on the basis of existing common positions where appropriate. The measures to be speedily adopted include:

  - A travel ban on President Milosevic, his family, all Ministers/ senior officials of the Federal Republic of Yugoslavia and Serbian Governments, and on persons, included in a specific list, close to the regime whose activities support President Milosevic;

  - Extension of the scope of the freeze of funds held abroad by the Federal Republic of Yugoslavia and Serbian Governments to cover individuals associated with President Milosevic and companies controlled by, or acting on behalf of the Federal Republic of Yugoslavia and Serbian Governments;

- Prohibition of the provision of export finance by the private sector further to the existing moratorium on Government-financed export credits set out in Common Position 98/240 of 19 March 1998;

- Extension of the investment ban set out in Council Regulation (EC) No. 1607/98;

- Widening the scope of the prohibition on the export of equipment for internal repression and its extension to include goods, service, technology and equipment for the purpose of restoring/ repairing assets damaged in airstrikes;

- Encouragement to Member States and sporting organizations not to organize international sporting events with the participation of the Federal Republic of Yugoslavia;

- A comprehensive flight ban between the territory of the European Union and that of the Federal Republic of Yugoslavia;

- Welcomed the determination of NATO, as expressed in the statement on Kosovo issued by the Washington Summit, to achieve the aims and objectives of the international community;

- Emphasized the role of the Security Council for a political settlement of the Kosovo crisis and the efforts of the Secretary-General of the United Nations;

- Extended an invitation to Ibrahim Rugova to address the next session of the General Affairs Council and welcomed the Presidency's intention to invite him and his family to Bonn at an earlier date;

- Reiterated its strong support for the democratically elected Government of Montenegro. The Council condemned Belgrade's efforts to undermine its authority and destabilize the Republic. The European Union recalled the assistance it has already provided to Montenegro to help address the problems it faces as a result of the humanitarian catastrophe in Kosovo, and stressed the importance it attaches to the rapid disbursement of assistance, whether from the European Community or from other international agencies. The European Union will additionally consider every opportunity to help Montenegro bear the burdens imposed upon it by the conflict in Kosovo, especially through further financial and economic support. In this regard, the Council welcomed the Commission's measures to assist the Montenegrin economy and instructed its competent bodies to explore the scope for a joint action under the common foreign and security policy support of the democratically elected Government;

- Considered the position of the former Yugoslav Republic of Macedonia and of Albania during the current crisis. It fully recognized the dramatically increased burdens which had been placed on these neighbouring States as a result of ethnic cleansing carried out in

Kosovo by President Milosevic's regime. The Council commended the policy of moderation which the Governments of the two countries have been pursuing, and expressed its profound appreciation of the sacrifices which they have made in dealing with the huge influx of refugees from Kosovo in recent weeks. The Council agreed that the policies being pursued by the two Governments continued to constitute an essential contribution to the security and stability of the region as a whole, and to the wider efforts of the international community to ensure a political settlement which would allow all refugees to return in complete security to Kosovo;

- Stressed the particular importance of the European Union's relationship with the former Yugoslav Republic of Macedonia and with Albania. The Council looked forward to the political dialogue meetings at ministerial level between the two countries and the European Union Troika on 27 April. These will provide an important opportunity to discuss in detail our common approach in addressing the present crisis, and to review the vital contribution which these two countries are making. The Council also welcomed the intention of the European Commission to examine urgently, in the context of the regional approach and the European Union contribution to a future stability pact, the upgrading of the contractual relations between the European Union and the former Yugoslav Republic of Macedonia and between the European Union and Albania, towards an Association Agreement;

- Expressed its determination, in a spirit of solidarity, to continue to provide the necessary financial and economic assistance to the two countries to help them address the burdens imposed by the present crisis in the region, noting once again the assistance which the European Union and its member States had already provided;

- Looked forward to the adoption of joint statements with the former Yugoslav Republic of Macedonia and Albania on the occasion of tomorrow's political dialogue meetings at ministerial level;

- Invited the Commission to report, as soon as possible, on the economic consequences of the crisis on the countries most affected in the region;

- Adopted the appended statement in support of Bulgaria and Romania.

The Council agreed to start the preparation of a stability pact for south-eastern Europe and welcomed the endorsement of the proposed stability pact by the international community. Work will now be carried forward urgently within the European Union, with the relevant international organizations and regional initiatives, and in particular with the regional States concerned, with a view to the Conference on South-Eastern Europe which will be convened by the European Union at Bonn on 27 May 1999. In this context, the Council also welcomed the forthcoming coordination meeting of relevant international organizations and initiatives at Vienna on 7 May 1999. The stability pact will give all countries

in the Balkans region a concrete perspective of stability and integration in Euro-Atlantic structures.

Bosnia and Herzegovina

The Council discussed the situation in Bosnia and Herzegovina in the presence of the High Representative, Carlos Westendorp, and supported his actions to ensure full respect for the Dayton/Paris Peace Agreements. Recognizing the importance of keeping Bosnia and Herzegovina out of the Kosovo conflict, the Council noted that Bosnia and Herzegovina too shared in the perspective of European integration in accordance with the European Union's regional approach.

Appendix

Statement by the Council of the European Union on Bulgaria and Romania

1. The present crisis in the western Balkans highlights the contribution of Bulgaria and Romania, two associate States, to stability in the wider region. The current situation imposes heavy burdens on these countries. The Governments are to be commended for their positive responses to these challenges.

2. The European Union underlines the special relations it enjoys with Bulgaria and Romania by virtue of their participation in the European Union accession process reflected in the European Agreements which record the perspective of their membership of the Union. The European Union appreciates the support which Bulgaria and Romania have provided for the international community's actions in Kosovo in defence of the basic principles of human rights and fundamental freedoms, to which the European Union, Bulgaria and Romania together adhere. It furthermore recognizes challenges and difficulties which the Governments and citizens of Bulgaria and Romania are facing.

3. In recognition of these specific considerations, the Council:

- Notes that these countries have consistently accepted the European Union's invitations to align themselves with the declarations, joint actions and common positions adopted within the framework of the common foreign and security policy, and have put into effect the measures contained in them. The Council believes that further steps to associate them with the policies of the European Union on the Western Balkans should be examined within the proposed European Union common strategy on the western Balkans and the elaboration of the stability pact for south-eastern Europe.

- Acknowledges the contribution made by Bulgaria and Romania to the humanitarian effort. The Council asked its relevant bodies to ensure that, in determining the overall level of assistance, account be taken of the specific needs and burdens generated by the present crisis, and notes with satisfaction that the international financial institutions are taking a similar approach. The European Union actions will be focused on relieving the economic and social burden resulting from the Kosovo crisis and by doing so will at the same time bring the countries concerned into a better position to bear their humanitarian responsibilities.

- In view of its decisions taken on 23 April concerning the ban on the delivery of petroleum and petroleum products to the Federal Republic of Yugoslavia, as well as the other sanctions, welcomes the Commission's intention to provide whatever additional technical help is necessary to Bulgaria nd Romania to assist them in aligning their legislation with that of the Community. The Council also calls upon the national administrations of the member States to provide appropriate advice and expertise on dealing with flows of refugees.

4. The Council appeals to private investors not to be discouraged from investing in these two countries despite the proximity of armed conflict. In this context, the Council recalls the valuable contribution which Bulgaria and Romania have made to the stability of the region, both individually and through their involvement in international organizations and by their participation in various regional initiatives. The Council welcomes the efforts and initiatives undertaken by Bulgaria and Romania, bilaterally and within regional forums, to contribute to a political solution of the crisis.

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CAUSES OF CONFLICT AND THE PROMOTION OF DURABLE PEACE AND SUSTAINABLE DEVELOPMENT IN AFRICA

SECURITY COUNCIL
Fifty-fourth year

Letter dated 28 April 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Germany to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the conclusions of the Council of the European Union on the report of the United Nations Secretary-General dated 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa" issued on 26 April 1999 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly and of the Security Council.

(Signed) Gerhard Walter HENZE
Chargé d'affaires a.i.
Deputy Permanent Representative
of Germany to the United Nations

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Annex

[Original: English and French]

Conclusions of the Council of the European Union on the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa"

The European Union welcomes the Secretary-General's report of 13 April 1998 on "The causes of conflict and the promotion of durable peace and sustainable development in Africa" (A/52/871-S/1998/318) submitted to the Security Council and the General Assembly. The European Union notes with satisfaction the large measure of support expressed in the United Nations for the contents of the report, in particular for the follow-up to the report initiated within those bodies, as well as within the Secretariat. The report and its follow-up are important contributions to raising the international community's awareness of the need for promoting durable peace and sustainable development in Africa. The European Union is committed to participating actively in the continued follow-up process in close cooperation with other actors concerned.

The European Union commends the Secretary-General's strong advocacy of African development and African security and his efforts to mobilize the international community in support of the continent, inter alia, through the United Nations system within a coordinated framework. The European Union reiterates its strong support for the report, which provides a clear analysis of the sources of conflict and the basis for a comprehensive policy of peace-building, conflict prevention, management and resolution and the promotion of development. The European Union shares and strongly supports the Secretary-General's view of the need for enhancing mutual information and cooperation. The European Union underlines the Secretary-General's conclusion that coherence of policy among donors, both multilateral and bilateral, is essential.

The European Union recalls that, on the basis of the 1997 common position and Council conclusions on conflict prevention and resolution in Africa and a series of related policy documents, it has already adopted an active, comprehensive and integrated approach towards the issue of violent conflicts in Africa. The need for strong political will, African ownership and capacity-building, for focusing on the prevention of violent conflicts, in particular by addressing their root causes at an early stage with an adequate combination of all available instruments, and for closing the gap between analysis, early warning and early action, figure among the key principles of this approach. The European Union is determined to further increase its efforts to pursue an active policy of conflict prevention in accordance with these principles.

The European Union also recalls its firm belief that a stable and democratic political environment is an indispensable precondition for sustainable development. In this context, the European Union reiterates its call also on the Governments of African countries to continue and, where necessary, reinforce their efforts to create such an environment. Measures in the field of respect for human rights, the rule of law, democratization and good

governance have a pivotal role to play in this regard. Equality of rights, opportunities and access to resources between men and women are also fundamental requirements, as stated in the Secretary-General's report. These values are also at the core of the European Union's policy of international cooperation, as the European Union only recently outlined at the first negotiating conference on future cooperation between the European Union and the African, Caribbean and Pacific (ACP) States, held at Dakar on 8 and 9 February.

The European Union, in the spirit of global partnership, renews its commitment to the assumption of the responsibilities by the international community as outlined in the Secretary-General's report. The Union as the most important donor to African countries will continue to contribute actively to the creation of durable peace and sustainable development, in particular through its efforts in assisting in the creation of a stable and democratic environment, in eradicating poverty and in integrating African countries into the world economy. In this spirit, the proposed European Union-Africa summit in 2000 will constitute an excellent opportunity to reach solid ground for an effective, integrated and comprehensive relationship between the two continents. The envisaged partnership agreement between the Union and African, Caribbean and Pacific countries which is being negotiated, and which is to replace the Lomé Convention by the year 2000, will play an important role in this regard. Taking into consideration the effects of globalization and trade liberalization European Union and ACP countries agreed at Dakar to reshape their cooperation in order to adapt to these new conditions at the beginning of the twenty-first century. The European Union shares the Secretary-General's view that the current unsustainable debt burden many African countries face poses a threat to the economic security and long-term stability of Africa and requires comprehensive and decisive action by the international community. The European Union is committed to the Heavily Indebted Poor Countries Debt Initiative, which is currently under review. Subject to this review the terms of the Initiative may be alleviated provided that the debtor countries are committed to the necessary reforms and other obligations under the programme. The European Union particularly welcomes the beneficial effect that the Heavily Indebted Poor Countries Debt Initiative will have for some African countries.

The European Union will also continue to focus on supporting solutions to existing crises and the prevention of the outbreak or recurrence of violent conflicts, including at an early stage, and on post-conflict peace-building. In this context, the European Union will in particular continue and intensify its dialogue with regional and subregional organizations. The European Union will continue to support relevant activities in the field of conflict prevention and resolution under the auspices of the United Nations, also considering that increased attention should be given to matters related to illicit arms flows to and in Africa as well as to safeguarding the civilian and humanitarian character of refugee camps and settlements. The European Union supports the ongoing efforts to improve cooperation between the United Nations and the regional and subregional organizations. In particular, it welcomes the initiative of the United Nations Secretariat to establish a working group on enhancing African peacekeeping training capacity as part of the follow-up to the Secretary-General's report and hopes that the establishment of a United Nations preventive action liaison office in the Organization of African Unity will be implemented quickly.

The European Union welcomes the decision taken by the Economic and Social Council to devote the coordination segment of its substantive session of 1999 to the implementation and coordinated follow-up by the United Nations system of initiatives on African development, and will work to ensure that the coordination segment produces a concrete plan of action for follow-up, with allocation of responsibilities and realistic and measurable targets in priority areas. The European Union hopes that the outcome of the discussions in the Economic and Social Council will form a good basis for the deliberations of the open-ended working group of the General Assembly, which is to prepare the discussion at the fifty-fourth session of the Assembly.